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Board of Marriage and Family Therapy Examiners
Professional Counselor Examiners Committee

STATE OF NEW JERSEY
DIV. OF CONSUMER AFFAIRS
BOARD OF MARRIAGE
& FAMILY THERAPY

2005 OCT 18 P 2:51

FILED

October 14, 2005 *HLA/JS*
STATE OF NEW JERSEY
BOARD OF MARRIAGE AND FAMILY THERAPY EXAMINERS
PROFESSIONAL COUNSELOR EXAMINERS COMMITTEE

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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
PROFESSIONAL COUNSELOR EXAMINERS COMMITTEE

IN THE MATTER OF THE LICENSE OF	:	
	:	Administrative Action
ANTHONY PANICHELLA	:	
License No. 37PC30300	:	CONSENT ORDER OF
	:	VOLUNTARY SURRENDER OF
TO PRACTICE PROFESSIONAL	:	LICENSURE
COUNSELING IN THE STATE OF	:	
NEW JERSEY	:	

This matter was opened to the New Jersey Professional Counselor Examiners Committee (the "Committee") upon receipt of information reviewed by the Committee alleging that Anthony Panichella ("Respondent") has not complied with the terms and conditions of the Consent Order issued by the Committee on May 6, 2004. Specifically, Respondent has engaged in the practice of professional counseling without supervision in violation of Section 3(a) of the Consent Order and Respondent has not completed the three credit graduate course on transference and boundary issues set forth in Section 3(b) of the Consent Order. The Committee also received information that on or about June 29, 2005, Respondent entered a plea of guilty to a one count accusation charging him

with a crime of the third (3rd) degree pursuant to N.J.S.A. 2C:21-20a for the unauthorized practice of medicine and surgery by knowingly prescribing medication to a counseling patient, C.H., while he knowingly did not possess a license to practice medicine and surgery. The Committee has also received information that Respondent failed to disclose four (4) prior criminal convictions which occurred in 1993, 1995 and 1997 on his initial application for licensure in 2000 and subsequent renewal applications. On July 26, 2005, the Committee issued an Interim Consent Order of Voluntary Surrender of Licensure whereby Respondent voluntarily surrendered his license to practice professional counseling until such time as the Committee concluded its investigative inquiry of Respondent and determined that Respondent is fit to practice professional counseling. By entry of the Interim Consent Order the investigative inquiry of Respondent was held in abeyance until the criminal proceedings against Respondent were concluded. On August 18, 2005, Respondent was sentenced to five (5) years probation for violating N.J.S.A. 2C:21-20(a), by the Hon. William J. Cook, J.S.C., and ordered to complete ninety (90) days on the Camden County Supplemental Labor Service Program, one-hundred (100) hours of community service and to submit to a substance abuse evaluation. The Committee has recently received a new complaint filed on behalf of J.P., a minor client of Respondent, alleging that Respondent has engaged in professional misconduct.

It appears to the Committee that the above criminal action taken by the State of New Jersey provides grounds to take disciplinary action against Respondent's license to practice professional counseling pursuant to N.J.S.A. 45:1-21 (f), in that Respondent has been convicted of a crime or offense involving moral turpitude or relating adversely to the practice of professional counseling. The above described conduct also provides grounds to take disciplinary action against Respondent's license pursuant to N.J.S.A. 45:1-21(b), in that Respondent has engaged in the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense. Further, the above described conduct also provides grounds to take disciplinary action against Respondent's license pursuant to N.J.S.A. 45:1-21(e), in that Respondent has engaged in professional or occupational misconduct.

It appearing that Respondent wishes to resolve this matter in order to avoid the initiation of formal disciplinary proceedings and the Committee having determined that the following provisions are sufficiently protective of the public interest and welfare, and for other good cause shown:

ACCORDINGLY, IT IS on this 14th day of OCTOBER, 2005,
ORDERED AND AGREED THAT:

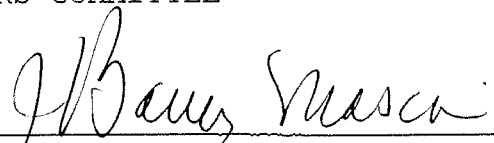
1. Respondent's license to practice professional counseling in the State of New Jersey is hereby voluntarily surrendered, with prejudice, to be considered a revocation precluding Respondent from

seeking reinstatement of his license in this State at any time in the future.

2. Respondent shall immediately cease and desist from advertising, offering to engage in or engaging in the practice of professional counseling and mental health therapy in the State of New Jersey.

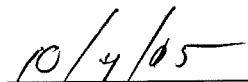
NEW JERSEY PROFESSIONAL COUNSELOR
EXAMINERS COMMITTEE

By:

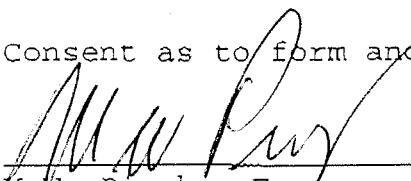

J. Barry Mascari, LPC
President

I have read and understand the within Consent Order and agree to be bound by its terms. Consent is hereby given to the Committee to enter this Order.


Anthony Panichella


Date

Consent as to form and entry:


M.W. Pinsky, Esq.


Date